

Blendon Township  
Planning Commission Meeting (Amended)  
May 19, 2020

**\*\*Kurt Gernaat facilitated the meeting via 'Go to Meeting' for the Board. Prior to the start of the meeting, Kurt explained to all in attendance how the meeting was going to work in the virtual setting and how to participate during the public hearing and public comments sections of the meetings.**

**1. The meeting was called to order** at 7:01 pm by Chairman Terry Huberts

**2. Invocation** was given by Jason Vander Kodde

**3. Roll Call: PRESENT:**

Paul Blauwkamp	Lyn Peters
Jason Vander Kodde	Jeff VanEck
Brett Huizenga	Jeff DeWind
Terry Huberts	

**4. Also Attending:**

- a) Kirk Scharphorn Jr – Zoning Administrator (via online)
- b) Andrew Moore – Township Planner
- c) Kurt Gernaat – Fire Chief

**5. Motion to approve the agenda with the following additions** was made by Jason Vander Kodde, support by Jeff Van Eck:

- Flip #10 and #7 on the agenda
- Add 'Commissioner's Comments' after #10

Motion Carried 7-0

**6. Motion to approve the Planning Commission Meeting Minutes, dated March 3, 2020, was made by Lyn Peters, support by Brett Huizenga with the following changes:**

- Page 2, item 9, motion to read '...approve the site plan with the following conditions and the attachment of the 02.18.2020 addendum as page 2 of 2...'

Motion Carried 7-0

**7. Opportunity for Public Comment on the Agenda:**

- None

**8. New Business:**

a) **Election of Officers:**

- **Motion to reappoint Terry Huberts as the Planning Commission Chairman through 03.31.2021** was made by Paul Blauwkamp, support by Jason Vander Kodde.

Motion Carried 7-0

- **Motion to reappoint Jeff Van Eck as the Planning Commission Vice-Chairman through 03.31.2021** was made by Paul Blauwkamp, support by Jason Vander Kodde.

Motion Carried 7-0

- **Motion to appoint Lyn Peters as the Planning Commission Secretary through 03.31.2021** was made by Paul Blauwkamp, support by Jason Vander Kodde.

Motion Carried 7-0

b) **Approval of the Planning Commission Meeting Dates for the 2020-2021 Fiscal Year:**

- ***Motion to approve the Planning Commission Meeting Dates for the 2020-2021 fiscal year was made by Brett Huizenga, support by Lyn Peters.***

Motion Carried 7-0

c) **Vruggink Sand Mine SLU:**

- Jack Barr, of Nederveld & Associates, was present representing the applicant.
  - Parcel is 13 acres in size
  - Pond will be 1.6 acres in size
  - 45,000 cubic yards of sand will be excavated from the site.
  - Top soil will not be stockpiled, but will be spread throughout the site.
- Township Planner, Andrew Moore, read the public hearing notice
- Public Hearing opened 7:17 pm
  - No public comments
- Public Hearing closed 7:18 pm
- Andrew highlighted his memo
  - Recommend a \$20,000 performance guarantee
- ***Motion to approve the Vruggink Sand Mine SLU with the following conditions was made by Brett Huizenga, support by Jason Vander Kodde***
  1. *Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.*
  2. *The applicant shall comply with any requirements from the Township Engineer, Township Fire Department, or other Township officials.*
  3. *The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the Township.*
  4. *The applicant shall continually comply with applicable ordinances, codes, and requirements of Blendon Township.*
  5. *The applicant shall include the professional seal of the engineer who prepared drawings and the slope and height of the proposed stockpile on the site plan.*
  6. *The applicant shall receive a Soil Erosion Control Permit from Ottawa County and submit a copy to the Township, along with all applicable permits from the Ottawa County Road Commission.*
  7. *The applicant shall provide a list of all equipment to be used on the site.*
  8. *Landscaping shall be sufficient to mitigate noise and visual impacts from neighboring residential properties.*
  9. *The applicant shall promptly remove any materials which fall from trucks onto public streets.*

10. Truck traffic shall ~~comply with a route designated by the Planning Commission which considers the capacity of road systems~~ may use northbound or southbound 72<sup>nd</sup> Ave as their route for travel.
11. The applicant shall submit a written narrative addressing the site restoration plan per Section 13.05.19(b)(11) of the zoning ordinance.
12. The Planning Commission ~~may~~ requires a \$20,000 reclamation guarantee, in a form acceptable to the Township Attorney, to ensure that the site is restored to an acceptable state in compliance with the Zoning Ordinance.
13. The applicant shall have the site reclamation complete within 9 months of completion.
14. Upon completion of the pond the applicant shall submit a bathymetric survey to a depth of 4 feet to confirm slopes are in accordance with Ottawa County standards.
15. Slopes for the pond shall follow the requirements of the Ottawa County Water Resource Commissioner.
16. The applicant shall submit the observed surface elevation of the pond.
17. The disturbed area shall be at least 100 feet from the 72<sup>nd</sup> Avenue right of way.
18. The site plan shall show the location of the locking gate across the access drive.
19. The first 75 feet of haul road, off from the 72<sup>nd</sup> Avenue right of way, shall be constructed of asphalt.
20. The site plan shall show all property lines and structures within 250 feet of the subject property
21. Hours of operation: Monday-Friday 7:00 am – 6:00 pm, Saturday 9:00 am – 1:00 pm.
22. Noise from the mining activity shall not exceed 70 decibels, measured at the property lines.
23. A monitoring well is not required, as no dewatering is proposed.
24. The stockpile height for extracted materials shall not exceed 15 feet.
25. The applicant shall submit a new site plan for review by the zoning administrator prior to beginning work on the site.

Motion Carried 7-0

d) **South Blendon Vista SLU Amendment:**

- Todd Stuive, of Exxel Engineering, highlighted the site plan change that included the addition of the street to the proposed Blendon Meadows Condominiums.
- Township planner, Andrew Moore, read the public notice
- Chairman Huberts opened the public hearing at 8:20 pm
  - Jim Doctor, Eaglewood Drive – Eagles Landing, questioned about the landscape buffer between the condos and the Eagles Landing residents.
- Chairman Huberts closed the public hearing at 8:23 pm
- Andrew Moore highlighted his memo on the amendment and the traffic study for the planning commission
- Commissioner Vander Kodde provided a list of reasons why he feels that SBV should provide a road out to 48<sup>th</sup> Ave.
- ***Motion to approve the South Blendon SLU Amendment as proposed was made by Paul Blauwkamp, support by Jeff DeWind.***  
*(Lengthy discussion ensued between Blauwkamp, Vander Kodde, Van Eck, and Stuive)*  
*After discussion a roll call vote was taken:*

Roll Call:      Yay: Huberts, Peters, Huizenga, Blauwkamp, DeWind  
                      Nay: Vander Kodde, Van Eck

Motion Carried 5-2

9. **Old Business:**

a) **Blendon Meadows SPR:**

- ***Motion to remove the Blendon Meadows SPR discussion from the table was made by Jeff DeWind, support by Brett Huizenga***  
Motion Carried 7-0
- Todd Stuive, from Exxel Engineering, presented the changes to the site plan based on the input that was received from the planning commission at the March meeting.
  - Stuive stated that the applicant does not feel that the bike path along Port Sheldon should be required, but if it is, they would like to offer payment verses installation.
- Township planner, Andrew Moore, reviewed and highlighted his report.
- Discussion ensued among the commissioners:
  - Commissioner Vander Kodde stated the following concerns:
    - headlight concerns for lots 10 and 11
    - would like to see the bike path
    - would like to limit lots A, B, C to one driveway
    - Construct sewer lateral for the property to the east
    - Possible fencing along Port Sheldon properties and properties to the East.
  - Commissioner Peters stated the following concerns:
    - Stormwater on the eastern side of the parcel
    - Suggestions for additional landscaping for properties along Port Sheldon and to the east of the development.
- Discussion was also had on the construction schedule and stormwater management.
  - Both Todd Stuive and Randy Koetje noted that construction would not likely begin until 2023

- Andrew Moore reminded the commission and the applicant that the SPR approval is good for one year, and (two) 1-year extensions may be granted by the planning commission.
- **Motion to grant Blendon Meadows preliminary condominium site plan approval with the following conditions** was made by Brett Huizenga, support by Jeff DeWind:
  - *The applicant shall obtain all necessary county, state, or federal permits and approvals, including EGLE, Ottawa County Water Resources Commissioner, the Ottawa County Road Commission, and any other applicable agency, and submit copies of such permits to the Township. This should occur prior to the final condominium review. Approval from EGLE and the Road Commission has been provided.*
  - *The applicant shall comply with the requirements of the Township Fire Department and any other applicable emergency personnel regarding emergency vehicle access.*
  - *Any signage shall comply with Chapter 10 of the Zoning Ordinance and be submitted for review and approval by the Zoning Administrator.*
  - *Lighting features shall be fully shielded and directed downward in accordance with Section 15.01.08 of the Zoning Ordinance.*
  - *The proposed common elements and maintenance provisions, use and occupancy restrictions, utility systems and streets, project layout and design, or other aspects of the proposed project, shall comply with the Condominium Act and other applicable laws, ordinances, or regulations. This can be addressed as a matter of final approval.*
  - *Provisions in the master deed and condominium bylaws shall obligate the developer and/or the condominium association to assure that the private streets are regularly maintained, repaired, and snowplowed so as to assure that they are safe for travel at all times. This can be addressed as a matter of final approval. The Master Deed shall specify the number of units that will be permitted to be rentals.*
  - *A bike path shall be required but the location shall be determined by the Township Board, including a path equal to the length proposed elsewhere on Port Sheldon. If not approved by the Board, then the path shall be installed along parcels A-C on Port Sheldon Street.*
  - *The applicant shall provide screening on units 10-11 to prevent vehicle headlights from shining onto the rear yard of properties in Eagles Landing.*
  - *The applicant shall install a sewer lateral that stubs to 5092 Port Sheldon*
  - *Fencing shall be required along the rear property line of 5192 and 5170 Port Sheldon, and along the west property line of 5092 Port Sheldon.*

- *The applicant shall provide a stormwater management plan for the subject property while it is used to store material from extraction activities on South Blendon Vista to ensure that it does not run on to adjacent properties.*
- *Additional landscaping shall be required behind parcels B and C, behind unit 18, and on the front corner of unit 2 to screen vehicle headlights.*
- *Trees shall be planted on Parcels A, B and C per section 11.03.02(b) of the zoning ordinance.*

Motion Carried 7-0

**10. Opportunity for public comment and communication of business not on the Agenda:**

- Marsha Peters, expressed concerns about the burning on the Koetje property **and the operation of equipment outside of acceptable working hours as defined by the ordinance.**
  - Fire Chief Gernaat will look into this and address the issue.

**11. Planning Commissioner Comments:**

- Commissioner Vander Kodde had questions on the Bylaws and the mining fees
  - Chairman Huberts would like to review the Bylaws and make sure they are reviewed annually
  - Discussion was had on setting mining fees.
    - Township is considering a flat fee
    - Andrew Moore suggested a separate 'enforcement escrow'

**12. Upcoming Events:**

- a) Township Board Meeting: June 15, 2020
- b) Planning Commission Meeting: June 2, 2020

**13. Adjournment:**

- a) *With no other business to be brought before the Planning Commission, a motion was made by Jason Vander Kodde, supported by Brett Huizenga, to adjourn the meeting at 10:23 pm.*

Motion Carried 7-0

Recorded by Tina Vander Schuur  
Submitted by Lyn Peters